

IN THE CLAIMS:

1. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument comprising:

a heat conducting tube capable of receiving said distal portion,

a heating element thermally coupled to said tube,

a whitening element within or at the distal end of said tube that enables white balancing of said optical instrument.

2. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to claim 1 further comprising:

a double walled cylindrical tube having an internal wall, external wall, upper surface and open distal portion with central cavity there between,

an aperture extending from said upper surface sized and shaped to receive said distal portion of said optical instrument,

a cap sized to attach to said distal portion of said double walled cylindrical tube,

an insulation layer between said internal wall and said external wall of said double walled cylindrical tube,

a heating element enclosed within said central cavity and thermally coupled to said insulation layer

wherein said whitening element is located in the distal portion of said aperture, such that said distal portion of said optical instrument abuts said whitening element and light from said

optical instrument is reflected off said whitening element back to said optical instrument in order to achieve white balancing of said optical instrument.

3. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to claim 1 or 2 wherein said apparatus is constructed from a thermoplastics type material.

4. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to claim 1 ~~or 2~~ wherein said apparatus is constructed from a thermoset plastics material.

5. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 4 wherein said double walled cylindrical tube has a horizontal cavity extending from said external wall through said distal portion of said aperture, sized and shaped to fit said whitening element.

6. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to claim 5 wherein said aperture comprises a plurality of steps of decreasing circumference toward the distal portion of said tube to provide enhanced support for said optical instrument when inserted into said tube.

7. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal

portion of said optical instrument according to ~~any one of claims~~ claim 1 to 6 wherein said heating element comprises a conductive material.

8. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 7 wherein said conductive material is water or saline solution.

9. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 7 wherein said conductive material is selected from a group consisting of wheat, barley, oat grass seeds and rice.

10. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 9 wherein said whitening element is constructed from one of a group consisting of a thermoset plastics material, thermoform plastics material, ceramics material, non-woven material and woven fibrous material.

11. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 10 wherein said heating element is heated prior to use by micro-waving said apparatus.

12. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal

portion of said optical instrument according to ~~any one of claims~~ claim 1 to 10 wherein said heating element is heated prior to use by inserting said apparatus into a conventional oven type surgical warmer.

13. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 2 to 12 wherein said insulation layer comprises air.

14. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 13 wherein said apparatus is disposable.

15. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 1 to 14 wherein said 1 tube has an attachment mechanism attached to said upper surface configured to removably attach said apparatus to a surgical drape or table.

16. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to claim 15 wherein said attachment mechanism is a handle.

17. (Original) An apparatus to calibrate an optical instrument and warm a distal portion of

said optical instrument according to claim 15 wherein said attachment mechanism is a handle clip.

18. (Currently Amended) An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument according to ~~any one of claims~~ claim 2 to 17 wherein said aperture has a flexible grommet surrounding at least a portion of said upper surface adaptable to receive said distal portion of an optical instrument of differing size.

19. (Canceled)